

REMARKS

This amendment is intended to replace the previously filed Amendment of June 19, 2009, which was not entered according to the Advisory Action of June 25, 2009 for requiring further consideration and/or search, and other issues. Accordingly, the present amendment is filed with a Request for Continued Examination. The application is amended in a manner believed to place it in condition for allowance.

Status of the Claims

Claim 3 is amended. Support for the amendment to the claims may be found, for example, at page 9, lines 8-10 and Figure 2.

Claims 3, 5 and 6 remain in this application.

Specification

The specification was objected to for including grammatical and typographical errors. Applicants acknowledge with appreciation the Examiner's thorough review of the specification.

The specification has been reviewed for grammatical and typographical errors, and the specification has been amended accordingly. No new matter was added in amending the specification.

Therefore, withdrawal of the objection is respectfully requested.

Claim Rejections-35 USC §112

Claims 3, 5 and 6 were rejected under 35 U.S.C. §112, first paragraph, for not complying with the written description requirement. This rejection is respectfully traversed for the reasons below.

The position of the Official Action was that the recitation "said film consisting of Cr_2O_3 " was not described, especially in light of Figure 2, as there could be other types of chromium oxides present in the film.

However, chromium oxide is recognized as CrO , Cr_2O_3 , Cr_2O_5 , CrO_3 , Cr_5O_9 , Cr_3O_5 , Cr_3O_6 , Cr_5O_{13} , Cr_5O_{12} , Cr_6O_{15} and Cr_3O_8 . In Figure 2, a chromium oxide composition of about 60% Oxygen and about 40% Chromium appears to be formed at about 30nm in depth of the film up to the outermost surface of the film. Thus, the chromium oxide corresponding to this composition of 60% Oxygen and 40% Chromium is Cr_2O_3 .

Claim 3 is amended to define the film in a manner consistent with this teaching of Figure 2 and specification page 9, lines 8-10. That is, the composition of the film, expressed as a ratio of oxygen to chromium, is 60/40 (i.e., 100% Cr_2O_3) at a depth of approximately 30 nm from the outermost surface of the film.

Therefore, claim 3, as well as claims 5 and 6, comply with the written description, and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the amendment to the claims and the foregoing remarks, this application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our credit card which is being paid online simultaneously herewith for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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